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October 18, 2017

VIA ECF

Honorable Kiyo A. Matsumoto
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201


RE: **United States v. Martin Shkreli**
15 CR 637 (KAM)

Dear Judge Matsumoto:

To be candid, given the pace and volume of motions, letters and other correspondence filed by counsel for Evan Greebel, I hesitate to even write this letter for fear of further complicating the life of a judge I have great respect and affection for. As the situation however, is dire, I must make inquiry about our pending bail reduction application, but out of deference to Your Honor's current workload, will be very brief.

Accordingly, we are inquiring about Mr. Shkreli's pending application for the release of his bail, given his current remand status. Although I bother Your Honor about this issue with genuine hesitation, I do so at this time again, because the Court's decision affects this firm directly and because all of the parties to whom the bail proceeds would be released, make inquiry of me on virtually a daily basis. Finally, I respectfully remind Your Honor that if Mr. Shkreli's bail were to be released, it would not be released to the defendant, but would go directly to an Escrow Account maintained by Fox Rothschild LLP, where it would be used for among other things to pay off the defendant's tax indebtedness, which increases as time passes because of interest and penalties that continue to be applied.

Respectfully,



Ben Brafman

cc: All Counsel via ECF